

REMARKS

A. Outstanding Action

Claims 1, 4 and 10 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,614,067 to Vermette.

Claims 2, 3, 6-9, 11-17 and 19 were rejected under 35 U.S.C. 103(a) as being obvious in view of U.S. Patent No. 3,614,067 to Vermette.

Claims 5 and 18 were rejected under 35 U.S.C. 103(a) as being obvious in view of U.S. Patent No. 3,614,067 to Vermette.

B. Status Of Claims

Claims 1-19 were pending in the application prior to the Office Action dated November 22, 2005.

Claims 3, 6, 9, 12, 13 and 15 have been canceled without prejudice or disclaimer.

Claims 1, 2, 4, 5, 7, 8, 10, 11, 14, and 16-19 are now pending.

C. Amendments To The Claims

The claim(s) has been amended in accordance with the enclosed marked up copy.

D. Pending Claims

35 U.S.C. 102 (b) Anticipation Rejections

Independent claims 1 & 10 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 3,614,067 to Vermette. Applicant has amended claims 1 and 10 to more particularly

point out and distinctly claim the subject matter of the invention.

More specifically, claims 1 and 10 have been amended to recite, "a cable retainer defining a substantially semi-cylindrical shape having a diameter greater than said drum diameter for maintaining said cable retainer distanced from said cylindrical drum." Claims 1 and 10 also recites, "the cable retainer defining a shape having a diameter less than said drum diameter plus two cable diameters for resiliently engaging the cable when the cable is located within said helical groove for maintaining the cable within said helical groove."

U.S. Patent 3,614,067 expressly teaches at column 1, lines 60 thru 64 and column 2, line 1, "A flexible and elastic retainer generally indicated by the number 26 which may be a band of elastic resilient material such as rubber or plastic and which is stretchable and of a width substantially equal to the drum, is positioned around the drum as well as the wound cable on said drum to hug a portion of the drum and the wound cable". U.S. Patent 3,614,067 also expressly teaches at column 2, lines 10 thru 16, "As the cable winds around the drum, the stretchable band or cable retainer 26 will hug the drum and the wound cable thereon and any loose pay of the slacked cable will be taken up, and the cable retainer 26 will act to crowd the cable turns to fit side by side or contiguous to each other in either left to right or right to left as successive layers of cable are wound on the drum". U.S. Patent 3,614,067 also expressly teaches at column 2, lines 42 thru 48, "with the opposite ends of the stretchable band extending forwardly of the portion of the stretchable band which circumferentially envelopes said wound cable and rigidly attached to the support member adjacent said opening, the flexibility and stretchability of the band permitting the band to move toward and away from the opening to apply pressure on the wound cable."

In contrast to the expressed teaching of U.S. Patent U.S. Patent 3,614,067 to Vermette, the

present invention recites, "a cable retainer defining a substantially semi-cylindrical shape having a diameter greater than said drum diameter for maintaining said cable retainer distanced from said cylindrical drum". Claims 1 and 10 also recites, "the cable retainer defining a shape having a diameter less than said drum diameter plus two cable diameters for resiliently engaging the cable when the cable is located within said helical groove for maintaining the cable within said helical groove".

Applicant respectfully submits claims 1 and 10 are not anticipated by U.S. Patent 3,614,067 to Vermette nor rendered obvious in view of U.S. Patent 3,614,067 to Vermette. It is respectfully submitted that independent claims 1 and 10 are now in condition for allowance.

Dependent claims 2, 4, 5, 7, and 8 are dependent upon independent claim 1 and should be allowable upon allowance of independent claim 1. Dependent claims 11 and 14 are dependent upon independent claim 10 and should be allowable upon allowance of independent claim 10.

35 U.S.C. 103 (a) Obviousness Rejections

Independent claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 3,614,067 to Vermette. Applicant has amended claim 16 more particularly point out and distinctly claim the subject matter of the invention. More specifically, claim 16 has been amended to recite, "a support member for supporting a first and a second journals; a shaft rotatably engaging said first and second journals; a cylindrical drum encircling said shaft and including a cylindrical surface; a drive for rotating said cylindrical drum about said shaft." Claims 16 has also been amended to recite, "a cable retainer secured to said support member and positioned between said cylindrical drum and said support member." Furthermore, claim 16 has been amended to recite, "said cable retainer defining a substantially semi-cylindrical shape

having a diameter greater than said drum diameter for maintaining said cable retainer distanced from said cylindrical drum; and said cable retainer defining a shape having a diameter less than said drum diameter plus two cable diameters for resiliently engaging the cable when the cable is located within said helical groove for maintaining the cable within said helical groove.”

U.S. Patent 3,614,067 expressly teaches at column 1, lines 60 thru 64 and column 2, line 1, “A flexible and elastic retainer generally indicated by the number 26 which may be a band of elastic resilient material such as rubber or plastic and which is stretchable and of a width substantially equal to the drum, is positioned around the drum as well as the wound cable on said drum to hug a portion of the drum and the wound cable”. U.S. Patent 3,614,067 also expressly teaches at column 2, lines 10 thru 16, “As the cable winds around the drum, the stretchable band or cable retainer 26 will hug the drum and the wound cable thereon and any loose pay of the slacked cable will be taken up, and the cable retainer 26 will act to crowd the cable turns to fit side by side or contiguous to each other in either left to right or right to left as successive layers of cable are wound on the drum”. U.S. Patent 3,614,067 also expressly teaches at column 2, lines 42 thru 48, “with the opposite ends of the stretchable band extending forwardly of the portion of the stretchable band which circumferentially envelopes said wound cable and rigidly attached to the support member adjacent said opening, the flexibility and stretchability of the band permitting the band to move toward and away from the opening to apply pressure on the wound cable.”

In contrast to the expressed teaching of U.S. Patent U.S. Patent 3,614,067 to Vermette, the present invention recites “a support member for supporting a first and a second journals; a shaft rotatably engaging said first and second journals; a cylindrical drum encircling said shaft and including a cylindrical surface; a drive for rotating said cylindrical drum about said shaft.” Claim

16 also recites, "a cable retainer defining a substantially semi-cylindrical shape having a diameter greater than said drum diameter for maintaining said cable retainer distanced from said cylindrical drum." Claim 16 further recites, "the cable retainer defining a shape having a diameter less than said drum diameter plus two cable diameters for resiliently engaging the cable when the cable is located within said helical groove for maintaining the cable within said helical groove."

Applicant respectfully submits claim 16 is not anticipated by U.S. Patent 3,614,067 to Vermette nor rendered obvious in view of U.S. Patent 3,614,067 to Vermette. It is respectfully submitted that independent claim 16 is now in condition for allowance.

Dependent claims 17-19 are dependent upon independent claim 16 and should be allowable upon allowance of independent claim 16.

F. Examiners Notice of References Cited

The prior art made of record but not relied upon has been reviewed and appears to be less pertinent to the claimed subject matter than the references cited by the Examiner. The remaining references do not teach nor suggest the structure set forth in the proposed claim.

G. Request For Extension of Time

Enclosed is a Request for Extension of Time to respond to the outstanding office action. Please charge Deposit Account No. 06-2120 for the fees for the Extension of Time.

H. Precautionary Request for an Extension of Time

In the event the present filing is not timely filed, applicant request an Extension of Time for

an appropriate period of time. Please charge Deposit Account No. 06-2120 for the fees for any Extension of Time.

I. Additional Fees

Please charge Deposit Account No. 06-2120 for the fees for any additional claims, an Extension of Time, Citation of Prior Art, Petitions, Terminal Disclaimers or any other fee arising out of this correspondence.

Applicant verily believes that all claims are now in condition for allowance and favorable action is respectfully requested. The undersigned attorney of record cordially invites any telephonic communications from the Examiner that may assist the examiner in the examination and to expedite the allowance and issuance of Letters Patent on the subject invention.

Respectfully submitted,

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Deposit Account

Please charge our account any deficiency in fees or credit any over payment arising out of this correspondence to Deposit Account No. 06-2120.

Certificate of Mailing

It is hereby certified that the foregoing correspondence and fee is being placed in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 and mailed by first class mail, postage prepaid, this 24th day of April, 2006.

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